

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

DANIEL PETE DAVIS,)	
Petitioner,)	
)	NO. 2:08-CR-106
v.)	NO. 2:11-CV-80
)	
UNITED STATES OF AMERICA,)	
Respondent.)	

MEMORANDUM OPINION AND ORDER

On February 17, 2011, Daniel Pete Davis (“petitioner” or “Davis”) filed a “Motion Application For Habeas Corpus under 28 U.S.C. § 2255,” [Doc. 38]. The United States responded in opposition to the motion on March 30, 2012, [Doc. 44]. Petitioner was ordered to file his reply on or before May 10, 2012, [Doc. 45]. On May 22, 2012, petitioner wrote the Court stating that he has “no objection” to the motion being dismissed, apparently because he has obtained post-conviction relief in state court from a conviction arising from the same conduct which led to his conviction in this Court, giving him the same relief he sought through the instant motion, [Doc. 46]. Therefore, petitioner’s motion to vacate under § 2255, [Doc. 38], will be DENIED and this matter will be DISMISSED.

So ordered.

ENTER:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE